

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Elizabeth Ashley Soto**

**Docket No. 5:08-CR-314-1F**

**Petition for Action on Probation**

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Elizabeth Ashley Soto, who, upon an earlier plea of guilty to 21 U.S.C. §846, Conspiracy to Distribute and Possess With the Intent to Distribute 500 Grams or More of Cocaine, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on March 31, 2009, to a 60 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
2. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
3. The defendant shall submit to financial or consumer credit counseling as directed by the probation office.
4. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
5. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 180 consecutive days. The defendant shall be restricted to her residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The government is to pay for the electronic monitoring services as directed by the probation officer.

On February 18, 2010, a violation report was sent to the court reporting that the defendant had committed the offense of Driving While Impaired on January 19, 2010, in Chatham County, North Carolina. The defendant completed a twenty hour substance abuse treatment program and was verbally reprimanded for this offense.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On December 2, 2010, the defendant committed the offense of Driving While License Revoked in Cumberland County, North Carolina. The defendant advised that as a manager, she had to open the restaurant that morning, and when her ride failed to show, she drove to work to avoid losing her job. The defendant is in the process of obtaining a limited driver's license for work. Two days incarceration is recommended for this offense.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of two days, commencing as soon as can be arranged by the probation officer, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld  
Mindy L. Threlkeld  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: December 20, 2010

**ORDER OF COURT**

Considered and ordered this 21<sup>st</sup> day of December, 2010, and ordered filed and made a part of the records in the above case.

James C. Fox  
James C. Fox  
Senior U.S. District Judge